

## **REMARKS**

Claim 1, 3-9, 11-18, 20 and 22-26 are pending in the application. Claims 1, 9, 18 are independent claims. Claims 1, 3-9, 11-18, 20 and 22-26 stand rejected.

### ***Claim Objections***

Claim 9 is objected to because of minor informality. Applicants have amended the claim to correct the informality.

### ***Claim Rejections – 35 USC § 102***

Claims 1, 3-9, 11-18, 20, and 22-26 stand rejected under 35 U.S.C. 102(b) as being anticipated by “JavaOS for Business Version 2.0”, Reference Manual, June 1998 (art made of record, hereafter “JavaOS”). Applicants respectfully disagree.

Claim 1, for example, recites in part:

a plurality of runtime instructions, said runtime instructions being in an intermediate language readable by an intermediate language compiler, *wherein said runtime instructions performs the translation between said application instructions and said driver*; and

an intermediate language compiler capable of compiling the application instructions, the runtime instructions and said at least a portion of said driver instructions *into a combined set of instructions executable by the processor for interacting with the computing component*

As is clear from the claim, the runtime instructions translate between the application instructions and the driver. In addition, the intermediate language compiler compiles the runtime, the application, and a portion of the driver instructions into a combined set of instructions.

The examiner maintains that wherein said runtime instructions performs the translation between said application instructions and said driver is described in Java OS on page 1-9 to page 1-13, JMV, JDK Hosting Classes, JavaOS Device Interface, JavaOS Platform Interface.

The examiner further maintained that an intermediate language compiler capable of compiling the application instructions the runtime instructions and said at least a portion of said driver instructions into a combined set of instructions executable by the processor for interacting with the computing component is taught in JavaOS in page 1-1, JavaOS as a combined final set of instructions; pages 1-5 and 1-6, FIG. 1-1, JavaOS as a single executable program.

However, the cited portions of Java OS say nothing about compiling into a combined set of instruction. Moreover, it further says nothing about compiling into instructions executable by the processor for interacting with a computing device. To the contrary, page 1-2 of Java OS says that it is the platform specific code that is compiled to native code and contains the Microkernel and the JavaOS Virtual Machine (JVM). The rest of the system including the JavaOS are platform independent and therefore are NOT compiled to native code. For at least the foregoing reason, Java OS cannot anticipate the claimed invention.

Inasmuch as claims 3-8 depend from claim 1, Applicants submit that they also patentably define over JavaOS for at least the same reasons.

Independent claim 9 recites:

compiling the application program, the runtime program and the driver program into a single executable program for execution on the target computer system.

As noted above, Java OS does not teach compiling into a single executable on the target computer system. For at least that reason, Applicants submit that claim 9 is not anticipated by Java OS.

Inasmuch as claims 11-17 depend from claim 9, Applicants submit that they also patentably define over Java OS for at least the same reasons.

Independent claim 18 recites:

instructions for compiling the application program, the runtime program and the driver program into a single executable program for execution on the target computer system.

As noted above, Java OS does not teach compiling into a single executable on the target computer system. For at least that reason, Applicants submit that claim 18 is not anticipated by Java OS.

Inasmuch as claims 20 depends from claim 19, Applicants submit that they also patentably define over Java OS for at least the same reasons.

### **CONCLUSION**

In the view of the foregoing amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the application for any reason, the Examiner is encouraged to contact Applicants' representative.

Date: November 13, 2008

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